

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ALEXANDER LEE, *Individually and on  
behalf of his minor daughter K.L.*,

Plaintiff,

v.

AIR CHINA LIMITED,

Defendant.

**ORDER**

25-CV-2235  
(Merle, J.)  
(Marutollo, M.J.)

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**JOSEPH A. MARUTOLLO, United States Magistrate Judge:**

The Complaint in this action was filed on April 21, 2025. Dkt. No. 1. Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the Plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Accordingly, if proper service is not made upon the Defendant by **July 21, 2025**, or if Plaintiff fails to show good cause why such service has not been made, the undersigned will recommend that the Court dismiss this action without prejudice. After Defendant has been served, Plaintiff must file with the Court proof of service of the summons and complaint. Fed. R. Civ. P. 4(i)(1).

Plaintiff is required to advise the Clerk of Court of any change of address. Failure to keep the Court informed of Plaintiff's current address means the Court will not know where to contact Plaintiff and may result in dismissal of this case.

For information regarding court procedures, Plaintiff may contact the *Pro Se* Office at the United States Courthouse by calling (718) 613-2665. Plaintiff may also contact the Federal *Pro Se* Legal Assistance Project (212) 382-4729 or <https://www.citybarjusticecenter.org/projects/federal->

pro-se-legal-assistance-project) of the City Bar Justice Center for free, confidential, limited-scope legal assistance. The Court notes that the Federal *Pro Se* Legal Assistance Project is not part of, or affiliated with, the United States District Court.

Additionally, Plaintiff is advised that to the extent he seeks to bring this action on behalf of his child without representation by counsel, he may not do so. *See Armatas v. Maroulleti*, No 10-CV-4755, 2012 WL 1939934, at \*1 (2d Cir. May 30, 2012); *Berrios v. New York City Housing Authority*, 564 F.3d 130 (2d Cir. 2009); *see, e.g., Tindall v. Poultney High Sch. Dist.*, 414 F.3d 281, 284 (2d Cir. 2005) (“It is thus a well-established general rule in this Circuit that a parent not admitted to the bar cannot bring an action pro se in federal court on behalf of his or her child.”).

Finally, Plaintiff filed an application to proceed *in forma pauperis* (IFP) on May 7, 2025. Dkt. No. 4. On May 12, 2025, however, Plaintiff paid the \$405.00 filing fee. Dkt. No. 5. Given that the filing fee has been paid, Plaintiff’s IFP application is denied as moot.

The Clerk of Court is respectfully directed to terminate Plaintiff’s IFP application and mail a copy of this Order to Plaintiff.

Dated: Brooklyn, New York  
May 21, 2025

**SO ORDERED.**

/s/ Joseph A. Marutollo  
JOSEPH A. MARUTOLLO  
United States Magistrate Judge